IN THE U.S. DISTRICT COURT FOR MARYLAND SOUTHERN DIVISION

BEYOND SYSTEMS, INC.

Plaintiff

v.

Case No. PJM 08-cv-0921

WORLD AVENUE U.S.A., LLC

successor by merger to NIUTECH, LLC.,
dba "The Useful"et al.

Defendants.

*

<u>AFFIDAVIT OF AMANDA L. ORNITZ</u>

- I, Amanda L. Ornitz, being of full age, pursuant to 28 U.S.C. § 1746, hereby declare under penalty of perjury as follow:
- 1. I make this affidavit upon personal knowledge, I am over the age of eighteen (18) years old, and I am competent to testify to the matters stated herein.
- 2. I am currently employed by The Law Office of Michael S. Rothman located in Rockville, Maryland, and was so employed during all of 2010.
- 3. On January 8, 2010, I prepared twenty-three (23) Non-Party subpoenas to be issued to Experian Consume Info, Star Club Rewards (two different addresses), Citibank Mastercard, BMG Music Service, Columbia House (two different addresses), Rhapsody America, LLC, Account Now, LLC, Direct Brands, Inc, StyleMyHouse, LLC, America Online, Inc, Direct TV, Intersection, Inc, Body Sculpture, Tassimodirect, Blockbuster Online DVD Rental, Kraft Food, Inc, Dish Network, Discover Financial

Services, Vonage, Match.com, and Netflix using Adobe Acrobat and saved these files to my hard drive.

- 4. As a result, I created an individual non-party subpoena file on my computer in anticipation of service -- saving each non-party subpoena to its own folder. Each original electronic file included a two-page .pdf version of the twenty-three (23) non-party subpoenas, with no Attachment A.
- 5. That same day I mailed twenty-three (23) subpoenas to the non-party entities at their addresses of record.
- 6. Unbeknownst to me, the electronic file used to create the non-party subpoenas was saved using Adobe Acrobat <u>Reader</u> software, which by design is not the full version of the Adobe Acrobat software and cannot and save information to the file.
- 7. On *February 1, 2010*, Defendant served Plaintiff with a "Request for Copies", seeking copies of the non-party subpoenas issued by Plaintiff. *See* MTD, Ex. 4.
- 8. Thereafter, Mr. Rothman directed me to use the office's ScanSnap Scanner to scan in the original subpoenas in our files to create an electronic copy of all original non-party subpoenas that we had sent to the recipients to send to Defendant, pursuant to their Request for Copies.
- 9. After originally mailing the non-party subpoenas on January 8, 2010, I realized that we had <u>inadvertently</u> mailed twelve (12) of the <u>original</u> twenty-three (23) subpoenas signed in blue ink to the non-party recipients. The remaining eleven (11) subpoenas in Counsel's possession were originals. The copies of those subpoenas I sent are appended to my declaration as **Exhibit A**.

- 10. Those twelve (12) subpoenas included the following: StyleMyHouse, LLC, Direct Brands, Inc, Account Now, LLC, Rhapsody America, LLC, Columbia House (*two different addresses*), BMG Music Service, Citibank Mastercard, Star Club Rewards (Experian Info Solutions) (*two different addresses*), Direct TV, America Online, Inc.
- 11. After alerting Mr. Rothman to the problem, he directed me to re-print the exact same two-page subpoena for the twelve (12) non-parties who had received the originals on January 8, 2010.
- 12. When I re-opened the original files for printing, however, I realized that the saved Adobe Acrobat Reader files containing electronic copies of the original non-party subpoenas that I saved would not print using the Acrobat software.
- 13. I explained to Mr. Rothman that I was able to use another .pdf reader ("Preview") to open the electronic files of the non-party subpoenas to re-print only the subpoenas. However, the Preview application changed the "check mark" shown on the left side of Defendant's MTD, Figure 1, to a "circle" on the shown on the right side of Defendant's MTD, Figure 1.
- 14. I provided Mr. Rothman with electronic files containing what I believed to be the **first two pages** all of the non-party subpoenas *duces tecum* issued.
- 15. For the twelve (12) non-party subpoenas in which the originals were inadvertently sent to the recipients, I watch Mr. Rothman re-sign in blue ink the first page of what we believed to be the <u>exact same</u> subpoenas *duces tecum*, including the Attachment A, issued to those same non-parties on January 8, 2010. An electronic copy

of the first two pages of the twelve (12) non-party subpoenas in which the originals were inadvertently sent to the recipients is attached here as **Exhibit A**.

16. The Properties creation date listed in Defendant's Figure 2 is correct. The offices uses a ScanSnap Scanner in which to scan in documents and create electronic .pdf files. The information would comport with my understanding of the facts, and a creation date between February 3rd (and even a modification date of February 8th) would make perfect sense, as I would have scanned in the hard copies of those subpoenas then in my possession.

17. On May 21, 2010, I prepared letters at Mr. Rothman's direction, to all previous non-party subpoena recipients listed above to disregard the subpoenas originally sent. A copy of those letters that I prepared are appended to my Declaration as **Exhibit** B.

18. I was unaware that any of the versions of the non-party subpoenas I sent to Defendant on February 8th were different in any respect from the subpoenas I sent to the non-party recipients on January 8th.

19. I solemnly declare under penalty of perjury that the contents of the foregoing declaration are true and correct.

Amanda L. Ornitz

Executed on:

Date

EXHIBIT A

	1011401 (COOKI
Beyond Systems, Inc., Plaintiff	DISTRICT OF	MARYLAND
World Avenue U.S.A., LLC, et al., Defendants	SUBPOR	ENA IN A CIVIL CASE
StyleMyHouse, LLC TO: 135 Townsend St. Suite 626 San Fransisco, C c/o Corporation Service Company, Resident A 2711 Centerville Rd Suite 400 Wilmington, DE	CA 94110	nber: Dist Ct MD 08-cv-0921 (PJM)
YOU ARE COMMANDED to appear in the Untestify in the above case.		e place, date, and time specified below
PLACE OF TESTIMONY		
		COURTROOM
		DATE AND TIME
YOU ARE COMMANDED to appear at the place in the above case.	e doto and t	
in the above case.	e, date, and time specified beli	ow to testify at the taking of a deposition
LACE OF DEPOSITION		or a deposition
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YOU ARE COMMANDED to produce and perm place, date, and time specified below (list docume Attachment A.	ents or objects):	ie Tollowing documents or objects at the
Michael S. Rothman, Esq. 401 East Jefferson St 251-9660	Suite 201 Registille MD access	In one
251-9000	- auto 501 HOCKAIII MD 50820	(301) DATE AND TIME
YOU ARE COMMANDED to possible		2/19/2010
YOU ARE COMMANDED to permit inspection EMISES	of the following premises at t	he date and time angels at the
EMISES		
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Any organization not a party to this suit that is subpoend ectors, or managing agents, or other persons who consent iters on which the person will testify. Federal Rules of Country of the person will testify. Federal Rules of Country of the person will testify. Federal Rules of Country of the person will testify. Federal Rules of Country of the person will testify. Federal Rules of Country of the person will testify. Federal Rules of Country of the person will testify. Federal Rules of Country of the person will testify. Federal Rules of Country of the person will testify. Federal Rules of Country of the person will testify. Federal Rules of Country of the person will testify. Federal Rules of Country of the person will testify.	RNEY FOR PLAINTIFF OR DEFEND.	ANT) DATE
hael S. Rothman, For And T.	100	1/0/2010
hael S. Rothman, Esq. 401 East Jefferson St. Suite	201 Rockville MD 20850 (30	1) 251-9660
(See Rule 45, Federal Rules	of Civil Procedure, Parts C & D on next page)	
	or Civil Procedure, Parts C & D on next page)	

¹ If action is pending in district other than district of issuance, state district under case number.

Case 8:08-cv-00921-P.IM_Document 373-4 Filed 07/30/10 Page 7 of 52
PROOF OF SERVICE
DATE PLACE
AME) MANNER OF SERVICE
ME) TITLE
DECLARATION OF SERVER enalty of perjury under the laws of the United States of America that the foregoing information contained vice is true and correct.
DATE SIGNATURE OF SERVER
ADDRESS OF SERVER
`NA

Rule 45, Federal Rules of Civil Procedure, Parts C & D:

(c) PROTECTION OF PERSONS SUBJECT TO SUBPOENAS.

- (1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction which may include, but is not limited to, lost earnings and reasonable attorney's fee.
- (2) (A) A person commanded to produce and permit inspection and copying of designated books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.
- (B) Subject to paragraph (d) (2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production. Such an order to comply production shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.
- (3) (A) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it
 - (i) fails to allow reasonable time for compliance,
- (ii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place where that person resides, is employed or regularly transacts business in person, except that, subject to the provisions of clause (c) (3) (B) (iii) of this rule, such a person may in order to

trial be commanded to travel from any such place within the state in which the trial is held, or

- (iii) requires disclosure of privileged or other protected matter and no exception or waiver applies, or
 - (iv) subjects a person to undue burden.

(B) If a subpoena

- (i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or
- (ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party, or
- (iii) requires a person who is not a party or an officer of a party to incur substantial expense to travel more than 100 miles to attend trial, the court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena, or, if the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

- (1) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.
- (2) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

World Avenue U.S.A., LLC, et al., Defendants		MARYLAND
	SUBP	OENA IN A CIVIL CASE
Direct Brands, Inc FO: 1 Penn Plaza 250 W. 34th St. 4th Floor NY No. 1 c/o Corporation Trust Company, Registered A 1209 Orange St, Wilmington DE 19801		Number: Dist Ct MD 08-cv-0921 (PJM)
YOU ARE COMMANDED to appear in the U testify in the above case.	Inited States District court a	t the place, date, and time specified below t
LACE OF TESTIMONY		
		COURTROOM
_		DATE AND TIME
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ACE OF DEPOSITION		DATE AND TIME
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Ace Michael S. Hothman 401 East Jefferson St. Suit (301)251-9660	e 201 Hockville MD 20850	DATE AND TIME
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¹ If action is pending in district other than district of issuance, state district under case number.

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- (1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction which may include, but is not limited to, lost earnings and reasonable attorney's fee.
- (2) (A) A person commanded to produce and permit inspection and copying of designated books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.
- (B) Subject to paragraph (d) (2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production. Such an order to comply production shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.
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- (ii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place where that person resides, is employed or regularly transacts business in person, except that, subject to the provisions of clause (c) (3) (B) (iii) of this rule, such a person may in order to

trial be commanded to travel from any such place within the state in which the

- (iii) requires disclosure of privileged or other protected matter and no exception or waiver applies, or
 - (iv) subjects a person to undue burden.

(B) If a subpoena

- (i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or
- (ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party, or
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- (1) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.
- (2) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

Beyond Systems, Inc., Plaintiff	DISTRICT OF	MARYLAND
World Avenue U.S.A., YLC, et al., Defendants	SUBI	POENA IN A CIVIL CASE
Account Now, Inc TO: 2711 Centerville Rd, Suite 400 Wilmington I c/o Corporation Service Company, Register 2711 Centerville Rd, Suite 400 Wilmington I	DE 19808	Number: Dist Ct MD 08-cv-0921 (PJM)
YOU ARE COMMANDED to appear in the I testify in the above case.	United States District court a	at the place, date, and time specified below
PLACE OF TESTIMONY		
		COURTROOM
		DATE AND TIME
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ANY organization not a party to this suit that is subposed sectors, or managing agents, or other persons who consisters on which the person will testify. Federal Rules of SUING OFFICER'S SIGNATURE AND TITLE (INDICATE IF AT	enaed for the taking of a deposent to testify on its behalf, and f Civil Procedure, 30(b)(6). TORNEY FOR PLAINTIFF OR DEF	DATE AND TIME 2/19/2010 s at the date and time specified below. DATE AND TIME DATE AND TIME sition shall designate one or more officers, may set forth, for each person designated, the SENDANT) DATE
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¹ If action is pending in district other than district of issuance, state district under case number.

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	MANNER OF SERVICE
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	TITLE
DECLARA	TION OF SERVER
I declare under penalty of perjury under the laws of the I the Proof of Service is true and correct.	United States of America that the foregoing information contained
Executed on	
DATE	SIGNATURE OF SERVER
	ADDRESS OF SERVER
le 45, Federal Rules of Civil Procedure, Parts C & D:	
PROTECTION OF PERSONS SUBJECT TO SUBPOENAS.	
(I) A man	

- (1) A party or an attorney responsible for the issuance and service of a ocena shall take reasonable steps to avoid imposing undue burden or expense person subject to that subpoena. The court on behalf of which the subpoena issued shall enforce this duty and impose upon the party or attorney in breach is duty an appropriate sanction which may include, but is not limited to, lost ings and reasonable attorney's fee.
- (2) (A) A person commanded to produce and permit inspection and copying ssignated books, papers, documents or tangible things, or inspection of ises need not appear in person at the place of production or inspection unless nanded to appear for deposition, hearing or trial.
- (B) Subject to paragraph (d) (2) of this rule, a person commanded to ice and permit inspection and copying may, within 14 days after service of pena or before the time specified for compliance if such time is less than 14 after service, serve upon the party or attorney designated in the subpoena n objection to inspection or copying of any or all of the designated materials the premises. If objection is made, the party serving the subpoena shall not itled to inspect and copy materials or inspect the premises except pursuant order of the court by which the subpoena was issued. If objection has been the party serving the subpoena may, upon notice to the person commanded duce, move at any time for an order to compel the production. Such an to comply production shall protect any person who is not a party or an of a party from significant expense resulting from the inspection and
-) (A) On timely motion, the court by which a subpoena was issued shall or modify the subpoena if it
 - (i) fails to allow reasonable time for compliance,
- (ii) requires a person who is not a party or an officer of a party to o a place more than 100 miles from the place where that person resides, is yed or regularly transacts business in person, except that, subject to the ons of clause (c) (3) (B) (iii) of this rule, such a person may in order to

trial be commanded to travel from any such place within the state in which the trial is held, or

- (iii) requires disclosure of privileged or other protected matter and no exception or waiver applies, or
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(B) If a subpoena

- (i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or
- (ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party, or
- (iii) requires a person who is not a party or an officer of a party to incur substantial expense to travel more than 100 miles to attend trial, the court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena, or, if the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

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Beyond Systems, Inc., Plaintiff	DISTRICT OF		MARYLAND
World Avenue U.S.A., LLC, et al., Defendants		SUBPOENA I	N A CIVIL CASE
Rhapsody America, LLC TO: 11600 Sunrise Valley Dr. Suite 200 Reston V. c/o Real Networks, Inc, Resident Agent 11600 Sunrise Valley Dr. Suite 200 Reston V.		Case Number:	Dist Ct MD 08-cv-0921 (PJM)
YOU ARE COMMANDED to appear in the Untestify in the above case.	nited States Distric	t court at the place	e, date, and time specified below to
PLACE OF TESTIMONY			
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YOU ARE COMMANDED to produce and perm place, date, and time specified below (list document A. ACE Michael S. Bothman, Esq. 401 Foot 1976			owing documents or objects at the
ACE Michael S. Rothman, Esq. 401 East Jefferson S 251-9660	it. Suite 201 Rockville	MD 20850 (301)	DATE AND TIME
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YOU ARE COMMANDED to permit inspection	n of the following	oremises at the day	te and time and S. 11.1
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SUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	(b)	1/8/2010
hael S. Rothman, Esq. 401 East Jefferson St. Suite	e 201 Rockville M[20850 (301) 25	1-9660
(See Rule 45, Federal Rul	es of Civil Procedure, Parts C	& Don nevi mage)	
		on next page)	

¹ If action is pending in district other than district of issuance, state district under case number.

Case 8:	08-cv-00921-PJM Document 373-4 Filed 07/30/10 Page 13 of 52
	PROOF OF SERVICE
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	f perjury under the laws of the United States of America that the foregoing information contained ue and correct.

- (1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction which may include, but is not limited to, lost earnings and reasonable attorney's fee.
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- (i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or
- (ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party, or
- (iii) requires a person who is not a party or an officer of a party to incur substantial expense to travel more than 100 miles to attend trial, the court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena, or, if the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

- (1) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.
- (2) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

Beyond Systems, Inc., Plaintiff	DISTRICT OF	MARYLAND
beyond Systems, Inc., Plaintill	SUBPOENA IN	A CIVIL CASE
World Avenue U.S.A., LLC, et al., Defendants		
	Case Number: Dis	st Ct MD 08-cv-0921 (PJM)
Columbia House TO: 1225 S. Market St Mechanicsburg PA 17055 c/o Belinda Showers, Resident Agent 1225 S. Market St Mechanicsburg PA 17055		
YOU ARE COMMANDED to appear in the Ut testify in the above case.	nited States District court at the place,	date, and time specified below to
PLACE OF TESTIMONY		COURTROOM
		DATE AND TIME
☐ YOU ARE COMMANDED to appear at the pla in the above case.	ice, date, and time specified below to te	stify at the taking of a deposition
PLACE OF DEPOSITION		DATE AND TIME
YOU ARE COMMANDED to produce and per place, date, and time specified below (list docuse Attachment A.		wing documents or objects at the
PLACE Michael S. Rothman, Esq. 401 East Jefferson 251-9660	St. Suite 201 Rockville MD 20850 (301)	DATE AND TIME
YOU ARE COMMANDED to permit inspection	on of the following premises at the date	2/19/2010
PREMISES	on or the following premises at the date	DATE AND TIME
Any organization not a party to this suit that is subpodirectors, or managing agents, or other persons who commatters on which the person will testify. Federal Rules as ISSUING OFFICER'S SIGNATURE AND TITLE (INDICATE IF A Afford ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER Michael S. Rothman, Esq. 401 East Jefferson St. Signature	sent to testify on its behalf, and may set for Civil Procedure, 30(b)(6). THORNEY FOR PLAINTIFF OR DEFENDANT) TORNEY FOR PLAINTIFF OR DEFENDANT)	DATE 1/8/2010
(See Rule 45, Federal	Rules of Civil Procedure, Parts C & D on next page)	

¹ If action is pending in district other than district of issuance, state district under case number.

	P	ROOF OF SERVICE	
	DATE	PLACE	
SERVED			
SERVED ON (PRINT NAME)		MANNER OF SERVICE	
SERVED BY (PRINT NAME)		TITLE	
	DEC	LARATION OF SERVER	
	of perjury under the laws	LARATION OF SERVER of the United States of America that the foregoing information of	contained
in the Proof of Service is	of perjury under the laws		contained
I declare under penalty in the Proof of Service is Executed on	of perjury under the laws		contained

Rule 45, Federal Rules of Civil Procedure, Parts C & D:

(c) PROTECTION OF PERSONS SUBJECT TO SUBPOENAS.

- (1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction which may include, but is not limited to, lost earnings and reasonable attorney's fee.
- (2) (A) A person commanded to produce and permit inspection and copying of designated books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.
- (B) Subject to paragraph (d) (2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production. Such an order to comply production shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.
- (3) (A) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it
 - (i) fails to allow reasonable time for compliance,
- (ii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place where that person resides, is employed or regularly transacts business in person, except that, subject to the provisions of clause (c) (3) (B) (iii) of this rule, such a person may in order to attend

trial be commanded to travel from any such place within the state in which the trial is held, or

- (iii) requires disclosure of privileged or other protected matter and no exception or waiver applies, or
 - (iv) subjects a person to undue burden.

(B) If a subpoena

- (i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or
- (ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party, or
- (iii) requires a person who is not a party or an officer of a party to incur substantial expense to travel more than 100 miles to attend trial, the court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena, or, if the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

- (1) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.
- (2) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

UNITED STATES DIST	RICT COURT
Beyond Systems, Inc., Plaintiff DISTRICT OF	MARYLAND
World Avenue U.S.A., LLC, et al., Defendants	SUBPOENA IN A CIVIL CASE
Columbia House (a.k.a. Direct Brands, Inc) TO: 1 Penn Plaza 250 W. 34th St. 4th Floor NY NY 10119 c/o Corporation Trust Company, Registered Agent 1209 Orange St, Wilmington DE 19801	Case Number: Dist Ct MD 08-cv-0921 (PJM)
YOU ARE COMMANDED to appear in the United States District testify in the above case.	t court at the place, date, and time specified below
PLACE OF TESTIMONY	COURTROOM
	COOKSROOM
	DATE AND TIME
YOU ARE COMMANDED to appear at the place, date, and time spin the above case.	pecified below to testify at the taking of a deposition
PLACE OF DEPOSITION	DATE AND TIME
	1
YOU ARE COMMANDED to produce and permit inspection and c place, date, and time specified below (list documents or objects): ee Attachment A. LACE Michael S. Hothman 401 East Jefferson St. Suite 201 Hockville MD 20 (301)251-9660	
(301)251-9660	DATE AND TIME
YOU ARE COMMANDED to permit increase of the state	2/19/2010
YOU ARE COMMANDED to permit inspection of the following p	premises at the date and time specified below.
	DATE AND TIME
Any organization not a party to this suit that is subpoenaed for the taking of rectors, or managing agents, or other persons who consent to testify on its belatters on which the person will testify. Federal Rules of Civil Procedure, 30(I SUING OFFICER'S SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIF AND OFFICER'S NAME, ADDRESS AND PHONE NUMBER hael S. Rothman 401 East Jefferson St. Suite 201 Rockville MD 20856	b)(6). FOR DEFENDANT) DATE
(See Rule 45, Federal Rules of Civil Procedure, Parts C	& D on next page)

¹ If action is pending in district other than district of issuance, state district under case number.

- Case 8.08	cv-00921-PJM Document 373-4 Filed-07/30/10 Page 17 of 52
	PROOF OF SERVICE
•	DATE PLACE
SERVED	
EDUCE ON CO.	
SERVED ON (PRINT NAME)	MANNER OF SERVICE
ERVED BY (PRINT NAME)	
D. (. MAT NAME)	TITLE
	DECLARATION OF SERVER
I declare under penalty of the Proof of Service is true	
I declare under penalty of the Proof of Service is true	perjury under the laws of the United States of America that the foregoing information contained and correct.
	perjury under the laws of the United States of America that the foregoing information containe and correct.

- (1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction which may include, but is not limited to, lost earnings and reasonable attorney's fee.
- (2) (A) A person commanded to produce and permit inspection and copying of designated books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.
- (B) Subject to paragraph (d) (2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production. Such an order to comply production shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.
- (3) (A) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it
 - (i) fails to allow reasonable time for compliance,
- (ii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place where that person resides, is employed or regularly transacts business in person, except that, subject to the provisions of clause (c) (3) (B) (iii) of this rule, such a person may in order to

trial be commanded to travel from any such place within the state in which the trial is held, or

- (iii) requires disclosure of privileged or other protected matter and no exception or waiver applies, or
 - (iv) subjects a person to undue burden.
 - (B) If a subpoena
- (i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or
- (ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party, or
- (iii) requires a person who is not a party or an officer of a party to incur substantial expense to travel more than 100 miles to attend trial, the court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena, or, if the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

- (1) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.
- (2) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

Beyond Systems, Inc., Plaintiff	DISTRICT OF		MARYLAND
World Avenue U.S.A., LLC, et al., Defendants		SUBPOENA IN	A CIVIL CASE
BMG Music Service (a.k.a. Direct Brands, Inc TO: 1 Penn Plaza 250 W. 34th St. 4th Floor NY N' c/o Corporation Trust Company, Registered A 1209 Orange St, Wilmington DE 19801) V 10110	Case Number:¹D	ist Ct MD 08-cv-0921 (PJM)
☐ YOU ARE COMMANDED to appear in the Untestify in the above case.	nited States District	court at the place,	date, and time specified below to
PLACE OF TESTIMONY			COURTROOM
			DATE AND TIME
☐ YOU ARE COMMANDED to appear at the place in the above case.	ce, date, and time sp	ecified below to to	estify at the taking of a deposition
PLACE OF DEPOSITION			DATE AND TIME
YOU ARE COMMANDED to produce and perm place, date, and time specified below (list docur See Attachment A.	nents or objects):		, , , , , , , , , , , , , , , , , , ,
PLACE Michael S. Hothman 401 East Jefferson St. Suite (301)251-9660	e 201 Rockville MD 2	0850	DATE AND TIME
		_	2/10/2010
YOU ARE COMMANDED to permit inspection	n of the following p	remises at the dat	e and time specified below.
PREMISES			DATE AND TIME
Any organization not a party to this suit that is subpoe directors, or managing agents, or other persons who consematters on which the person will testify. Federal Rules of	Civil Procedure, 30(nair, and may set fo b)(6).	designate one or more officers, rth, for each person designated, the
ISSUING OFFICER'S SIGNATURE AND TITLE (INDICATE IF AT	ORNEY FOR PLAINTIE	F OR DEFENDANT)	DATE 1/8/2010
ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER lichael S. Rothman 401 East Jefferson St. Suite 201	Rockville MD 2085	0 (301)251-9660	
(See Rule 45, Federal Ru	les of Civil Procedure, Parts C	& D on next page)	

^{&#}x27; If action is pending in district other than district of issuance, state district under case number.

Case 8:	98-cv-00921-PJM Document 373-4 Filed 0-7/30/1	9 Page 19 of 52
	PROOF OF SERVICE	
	DATE PLACE	
SERVED		
ERVED ON (PRINT NAME)		
	MANNER OF SERVICE	
ERVED BY (PRINT NAME)		
ERTED BT (FRINT NAME)	TITLE	
	DECLARATION OF SERVER	
I declare under penalty of the Proof of Service is tru	neriury under the laws of the II-1-1-10	foregoing information containe
I declare under penalty of the Proof of Service is tru Executed on		foregoing information containe
	perjury under the laws of the United States of America that the e and correct.	foregoing information containe

- (1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction which may include, but is not limited to, lost earnings and reasonable attorney's fee.
- (2) (A) A person commanded to produce and permit inspection and copying of designated books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.
- (B) Subject to paragraph (d) (2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production. Such an order to comply production shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.
- (3) (A) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it
 - (i) fails to allow reasonable time for compliance,
- (ii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place where that person resides, is employed or regularly transacts business in person, except that, subject to the provisions of clause (c) (3) (B) (iii) of this rule, such a person may in order to attend

trial be commanded to travel from any such place within the state in which the trial is held, or

- (iii) requires disclosure of privileged or other protected matter and no exception or waiver applies, or
 - (iv) subjects a person to undue burden.

(B) If a subpoena

- (i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or
- (ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party, or
- (iii) requires a person who is not a party or an officer of a party to incur substantial expense to travel more than 100 miles to attend trial, the court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena, or, if the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

- (1) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.
- (2) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

Beyond Systems, Inc., Plaintiff DIST	RICT OF MARYLAND
World Avenue U.S.A., LLC, et al., Defendants	SUBPOENA IN A CIVIL CASE
Citibank Mastercard TO: 399 Park Ave NY NY 10043 c/o The Corporation Trust Incorporated, Registered A 351 West Camden St, Baltimore MD 21201	Case Number: Dist Ct MD 08-cv-0921 (PJM)
YOU ARE COMMANDED to appear in the United Statestify in the above case.	tes District court at the place, date, and time specified belo
PLACE OF TESTIMONY	
	COURTROOM
	DATE AND TIME
YOU ARE COMMANDED to appear at the place, date, in the above case.	and time specified below to testify at the taking of a depos
ACE OF DEPOSITION	DATE AND TIME
ee Attachment A.	
ACE Michael S. Hothman, Esq. 401 East Jefferson St. Suite 2 251-9660	01 Rockville MD 20850 (301) DATE AND TIME
	0/40/0040
YOU ARE COMMANDED to permit inspection of the	following premises at the date and time specified below.
EMISES	DATE AND TIME
Any organization not a party to this suit that is subpoenaed for rectors, or managing agents, or other persons who consent to test atters on which the person will testify. Federal Rules of Civil Proceedings of the person will testify. Federal Rules of Civil Procedure of Civil Pr	OR PLAINTIFF OR DEFENDANT) DATE
	OCKVIIIE MD 20850 (301) 251-9660

¹ If action is pending in district other than district of issuance, state district under case number.

•		ocument 373-4 Filed 97/30/10 Page 21 of 52
		ROOF OF SERVICE
	DATE	PLACE
SERVED		
SERVED ON (PRINT NAME)		
,		MANNER OF SERVICE
SERVED BY (PRINT NAME)		
PERVED BY (PRINT NAME)		TITLE
	DECL.	ARATION OF SERVER
I declare under penalty the Proof of Service is	y of periury under the laws o	
I declare under penalty n the Proof of Service is Executed on	y of periury under the laws o	ARATION OF SERVER of the United States of America that the foregoing information contained
	y of periury under the laws o	
	y of perjury under the laws o true and correct.	of the United States of America that the foregoing information contained

- (1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction which may include, but is not limited to, lost earnings and reasonable attorney's fee.
- (2) (A) A person commanded to produce and permit inspection and copying of designated books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.
- (B) Subject to paragraph (d) (2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production. Such an order to comply production shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.
- (3) (A) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it
 - (i) fails to allow reasonable time for compliance,
- (ii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place where that person resides, is employed or regularly transacts business in person, except that, subject to the provisions of clause (c) (3) (B) (iii) of this rule, such a person may in order to

trial be commanded to travel from any such place within the state in which the trial is held, or

- (iii) requires disclosure of privileged or other protected matter and no exception or waiver applies, or
 - (iv) subjects a person to undue burden.

(B) If a subpoena

- (i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or
- (ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party, or
- (iii) requires a person who is not a party or an officer of a party to incur substantial expense to travel more than 100 miles to attend trial, the court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena, or, if the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

- (1) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.
- (2) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

Beyond Systems, Inc., Plaintiff DISTRICT OF	MARYLAND
World Avenue U.S.A., LLC, et al., Defendants	SUBPOENA IN A CIVIL CASE
Experian Information Solutions, I (a.k.a. Star Club Rewards) TO: 475 Anton Blvd Costa Mesa, CA 92626 c/o The Corporation Trust Incorporated (resident agent) 351 West Camden St Baltimore MD 21201	Case Number: Dist Ct MD 08-cv-0921 (PJM)
☐ YOU ARE COMMANDED to appear in the United States Distritestify in the above case.	ct court at the place, date, and time specified below to
PLACE OF TESTIMONY	COURTROOM
	DATE AND TIME
☐ YOU ARE COMMANDED to appear at the place, date, and time in the above case.	specified below to testify at the taking of a deposition
PLACE OF DEPOSITION	DATE AND TIME
YOU ARE COMMANDED to produce and permit inspection and place, date, and time specified below (list documents or objects) See Attachment A. PLACE Michael S. Rothman, Esq. 401 Fast Jefferson St. Suite 201 Rocky	
PLACE Michael S. Rothman, Esq. 401 East Jefferson St. Suite 201 Rocky 251-9660	ille MD 20850 (301) DATE AND TIME 2/19/2010
YOU ARE COMMANDED to permit inspection of the following	g premises at the date and time specified below.
PREMISES	DATE AND TIME
Any organization not a party to this suit that is subpoenaed for the taking directors, or managing agents, or other persons who consent to testify on its matters on which the person will testify. Federal Rules of Civil Procedure, 2	behalf, and may set forth, for each person designated, the $80(b)(6)$.
ISSUING OFFICER'S SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAIN MUMBLE S ROUNG (Afforment for Plain ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER Michael S. Rothman, Esq. 401 East Jefferson St. Suite 201 Rockville	tiff) 1/8/2010
(See Rule 45, Federal Rules of Civil Procedure, Pa	
(as C & D on next page)

¹ If action is pending in district other than district of issuance, state district under case number.

PROOF OF SERVICE		
	DATE	PLACE
SERVED		
SERVED ON (PRINT NAME)		MANNER OF SERVICE
SERVED BY (PRINT NAME)		TITLE
I declare under penalty of in the Proof of Service is tru	f perjury under the laws of	ARATION OF SERVER of the United States of America that the foregoing information contained
I declare under penalty of in the Proof of Service is tru	f perjury under the laws of	ARATION OF SERVER of the United States of America that the foregoing information contained

Rule 45, Federal Rules of Civil Procedure, Parts C & D:

(c) PROTECTION OF PERSONS SUBJECT TO SUBPOENAS.

- (1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction which may include, but is not limited to, lost earnings and reasonable attorney's fee.
- (2) (A) A person commanded to produce and permit inspection and copying of designated books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.
- (B) Subject to paragraph (d) (2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production. Such an order to comply production shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.
- (3) (A) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it
 - (i) fails to allow reasonable time for compliance,
- (ii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place where that person resides, is employed or regularly transacts business in person, except that, subject to the provisions of clause (c) (3) (B) (iii) of this rule, such a person may in order to attend

trial be commanded to travel from any such place within the state in which the trial is held, or

- (iii) requires disclosure of privileged or other protected matter and no exception or waiver applies, or
 - (iv) subjects a person to undue burden.

(B) If a subpoena

- (i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or
- (ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party, or
- (iii) requires a person who is not a party or an officer of a party to incur substantial expense to travel more than 100 miles to attend trial, the court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena, or, if the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

- (1) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.
- (2) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

Beyond Systems, Inc., Plaintiff DISTRICT OF	MARYLAND
, and the second of the second	SUBPOENA IN A CIVIL CASE
World Avenue U.S.A., LLC, et al., Defendants	O DE CASE
Experian/ConsumerInfo.com	Case Number: Dist Ct MD 08-cv-0921 (PJM)
TO: 475 Anton Blvd Costa Mesa CA 92626 c/o The Corporation Trust Incorporated (resident agent) 351 West Camden St Baltimore MD 21201	
☐ YOU ARE COMMANDED to appear in the United States District testify in the above case.	ct court at the place, date, and time specified below to
PLACE OF TESTIMONY	COURTROOM
	COUNTROOM
	DATE AND TIME
YOU ARE COMMANDED to appear at the place, date, and time in the above case.	specified below to testify at the taking of a deposition
PLACE OF DEPOSITION	DATE AND TIME
YOU ARE COMMANDED to produce and permit inspection and place, date, and time specified below (list documents or objects): See Attachment A.	copying of the following documents or objects at the
PLACE Michael S. Hothman, Esq. 401 East Jefferson St. Suite 201 Hockvi 251-9660	ille MD 20850 (301) DATE AND TIME
	2/19/2010
YOU ARE COMMANDED to permit inspection of the following	premises at the date and time specified below.
PREMISES	DATE AND TIME
Any organization not a party to this suit that is subpoenaed for the taking directors, or managing agents, or other persons who consent to testify on its transfer on which the person will testify. Federal Rules of Civil Procedure, 30	behalf, and may set forth, for each person designated, the 0(b)(6).
ISSUING OFFICER'S SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINT	TIFF OR DEFENDANT) DATE
ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER	1/8/2010
lichael S. Rothman, Esq. 401 East Jefferson St. Suite 201 Rockville M	MD 20850 (301) 251-9660
(See Rule 45, Federal Rules of Civil Procedure, Parts	s C & D on next recei

¹ If action is pending in district other than district of issuance, state district under case number.

	8-cv-00921-PJM Do	ocument 373-4 Filed 97/30#10 Page 25 of 52
	PR	ROOF OF SERVICE
	DATE	PLACE
SERVED		
SERVED ON (PRINT NAME)		MANNER OF SERVICE
SERVED BY (PRINT NAME)		TITLE
	222	
I declare under penalty of the Proof of Service is true	neriury under the laws of	ARATION OF SERVER fthe United States of America that the foregoing information contained
I declare under penalty of the Proof of Service is true Executed on	neriury under the laws of	ARATION OF SERVER The United States of America that the foregoing information contained SIGNATURE OF SERVER
	perjury under the laws of e and correct.	fthe United States of America that the foregoing information contained

- (1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction which may include, but is not limited to, lost earnings and reasonable attorney's fee.
- (2) (A) A person commanded to produce and permit inspection and copying of designated books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.
- (B) Subject to paragraph (d) (2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production. Such an order to comply production shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.
- (3) (A) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it
 - (i) fails to allow reasonable time for compliance,
- (ii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place where that person resides, is employed or regularly transacts business in person, except that, subject to the provisions of clause (c) (3) (B) (iii) of this rule, such a person may in order to

trial be commanded to travel from any such place within the state in which the trial is held, or

- (iii) requires disclosure of privileged or other protected matter and no exception or waiver applies, or
 - (iv) subjects a person to undue burden.

(B) If a subpoena

- (i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or
- (ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party, or
- (iii) requires a person who is not a party or an officer of a party to incur substantial expense to travel more than 100 miles to attend trial, the court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena, or, if the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

- (1) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.
- (2) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

%AO88 √3cv	1/94) Subpoena	in a Civil Case
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Issued by the

UNITED STATES DIS	STRICT COURT
DISTRICT	OF MARYLAND
Beyond Systems, Inc., Plaintiff	SUBPOENA IN A CIVIL CASE
World Avenue U.S.A., LLC, et al., Defendants	
	Case Number: Dist Ct MD 08-cv-0921 (PJM)
Direct TV O: 2230 E. Imperial Hwy El Segundo CA 90245 c/o CSC Lawyers Incorporating Service Company 7 St. Paul St. Suite 1660 Baltimore MD 21202	
YOU ARE COMMANDED to appear in the United States Distestify in the above case.	strict court at the place, date, and time specified below to
LACE OF TESTIMONY	COURTROOM
	DATE AND TIME
YOU ARE COMMANDED to appear at the place, date, and to in the above case.	me specified below to testify at the taking of a deposition
LACE OF DEPOSITION	DATE AND TIME
YOU ARE COMMANDED to produce and permit inspection place, date, and time specified below (list documents or objectee Attachment A.	ects):
PLACE Michael S. Hothman, Esq. 401 East Jefferson St. Suite 201 R 251-9660	OCKVIII MD 20850 (301) DATE AND TIME 2/19/2010
YOU ARE COMMANDED to permit inspection of the following	
PREMISES	DATE AND TIME
Any organization not a party to this suit that is subpoenaed for the directors, or managing agents, or other persons who consent to testify matters on which the person will testify. Federal Rules of Civil Procedure of Civi	on its behalf, and may set forth, for each person designated, the dure, 30(b)(6). PLAINTIFF OR DEFENDANT) DATE 1/8/2010
(See Rule 45, Federal Rules of Civil Proce	edure, Parts C & D on next page)

¹ If action is pending in district other than district of issuance, state district under case number.

		Common Co	
AO88 (Rev. 1/94) Subpoena@aSi	<u>#U\$#68-cv-0</u> 0921 -PJN	- Document 373-4 Filed 07/30/10 P	age 27 of 52
	PI	ROOF OF SERVICE	
	DATE	PLACE	
•	DATE		
SERVED			
		MANNER OF SERVICE	
RVED ON (PRINT NAME)		MANNER OF SERVICE	
SERVED BY (PRINT NAME)	· · · · · · · · · · · · · · · · · · ·	TITLE	
	DEC	LARATION OF SERVER	
I declare under penalty	of perjury under the laws	of the United States of America that the forego	ing information contained
in the Proof of Service is	true and correct.		
	1		
Executed on			
Executed on	DATE	SIGNATURE OF SERVER	-
		ADDRESS OF SERVER	
		,	
	i i		

Rule 45, Federal Rules of Civil Procedure, Parts C & D:

- (c) PROTECTION OF PERSONS SUBJECT TO SUBPOENAS.
- (1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction which may include, but is not limited to, lost earnings and reasonable attorney's fee.
- (2) (A) A person commanded to produce and permit inspection and copying of designated books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.
- (B) Subject to paragraph (d) (2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production. Such an order to comply production shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.
- (3) (A) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it
 - (i) fails to allow reasonable time for compliance,
- (ii) requires a person who is not a party of an officer of a party to travel to a place more than 100 miles from the place where that person resides, is employed or regularly transacts business in person, except that, subject to the provisions of clause (c) (3) (B) (iii) of this rule, such a person may in order to attend

trial be commanded to travel from any such place within the state in which the trial is held, or

- (iii) requires disclosure of privileged or other protected matter and no exception or waiver applies, or
 - (iv) subjects a person to undue burden.

(B) If a subpoena

- (i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or
- (ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party, or
- (iii) requires a person who is not a party or an officer of a party to incur substantial expense to travel more than 100 miles to attend trial, the court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena, or, if the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

- (1) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.
- (2) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

Beyond Systems, Inc., Plaintiff	DISTRICT OF	MARYLAND
World Avenue U.S.A., LLC, et al., Defendants	st	JBPOENA IN A CIVIL CASE
America Online, Inc TO: 770 Broadway NY NY 10003 c/o Corporation Service Company, Registered 2711 Centerville Rd, Suite 400 Wilmington DE	d A	se Number: Dist Ct MD 08-cv-0921 (PJM)
☐ YOU ARE COMMANDED to appear in the Untestify in the above case.	nited States District co	urt at the place, date, and time specified below to
PLACE OF TESTIMONY		COURTROOM
		DATE AND TIME
YOU ARE COMMANDED to appear at the pla in the above case.	ce, date, and time spec	ified below to testify at the taking of a deposition
PLACE OF DEPOSITION		DATE AND TIME
☐ YOU ARE COMMANDED to produce and perr place, date, and time specified below (list document A.	ments of objects).	
PLACE Michael S. Hothman 401 East Jefferson St. Suit (301)251-9660	e 201 Rockville MD 2085	O DATE AND TIME
TO VOLLARE COMMANDE		2/19/2010
YOU ARE COMMANDED to permit inspection	n of the following prer	nises at the date and time specified below.
ACMISES		DATE AND TIME
Any organization not a party to this suit that is subpoed lirectors, or managing agents, or other persons who consenatters on which the person will testify. Federal Rules of SSUING OFFICER'S SIGNATURE AND TITLE (INDICATE IF ATTICLE)	Civil Procedure, 30(b)(Corney FOR PLAINTIFF O	b).
SSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER ichael S. Rothman 401 East Jefferson St. Suite 201		1/8/2010 301)251-9660
(See Rule 45, Federal Ru	les of Civil Procedure, Parts C & D	Of payl nage)

¹ If action is pending in district other than district of issuance, state district under case number.

Case 8:08	3-cv-00921-PJM_Document 373-4 Filed 0-730/10_Page 29 of 52	
	PROOF OF SERVICE	
	DATE PLACE	
SERVED		
SERVED ON CORD		
SERVED ON (PRINT NAME)	MANNER OF SERVICE	
	THE STATE OF SERVICE	
ERVED BY (PRINT NAME)		
(FRINT NAME)	TITLE	
	DECLARATION -	
	DECLARATION OF SERVER	
I declare under penalty of	DECLARATION OF SERVER perjury under the laws of the Units 10.	
I declare under penalty of the Proof of Service is tru	DECLARATION OF SERVER perjury under the laws of the United States of America that the foregoing information conte	
I declare under penalty of the Proof of Service is tru		line
I declare under penalty of the Proof of Service is tru	DECLARATION OF SERVER perjury under the laws of the United States of America that the foregoing information contage and correct.	line
I declare under penalty of the Proof of Service is tru Executed on	DECLARATION OF SERVER perjury under the laws of the United States of America that the foregoing information contae e and correct.	line
	perjury under the laws of the United States of America that the foregoing information conta e and correct.	nine
	perjury under the laws of the United States of America that the foregoing information conta e and correct.	ine
	perjury under the laws of the United States of America that the foregoing information conta e and correct.	rine
	perjury under the laws of the United States of America that the foregoing information conta e and correct. DATE SIGNATURE OF SERVER	nine
	perjury under the laws of the United States of America that the foregoing information conta e and correct.	tine

- (1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction which may include, but is not limited to, lost earnings and reasonable attorney's fee.
- (2) (A) A person commanded to produce and permit inspection and copying of designated books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.
- (B) Subject to paragraph (d) (2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production. Such an order to comply production shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection and
- (3) (A) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it
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- (ii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place where that person resides, is employed or regularly transacts business in person, except that, subject to the provisions of clause (c) (3) (B) (iii) of this rule, such a person may in order to

trial be commanded to travel from any such place within the state in which the

- (iii) requires disclosure of privileged or other protected matter and no exception or waiver applies, or
 - (iv) subjects a person to undue burden.

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- (i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or
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EXHIBIT B

ATTORNEY AT LAW

401 EAST JEFFERSON STREET SUITE 201 ROCKVILLE, MARYLAND 20850

TELEPHONE: (301) 251-9660 FACSIMILE: (301) 251-9610 mike@mikerothman.com www.mikerothman.com

May 21, 2010

VIA FIRST CLASS MAIL

Discover Financial Services 2500 Lake Cook Rd Riverwoods, IL 60015 c/o The Corporation Trust Incorporated 351 West Camden St Baltimore MD 21201

Re: Beyond Systems, Inc. v. World Avenue USA, LLC, et al.

Case No. PJM 08 cv 0921

To Whom It May Concern:

Please disregard the subpoena issued on January 8, 2010, from Beyond Systems, Inc ("BSI") requesting documents pertaining to the above referenced case. A new subpoena will be forthcoming. If you have not yet responded to the subpoena, please hold all responsive documents until you receive the new subpoena.

If you have any questions or would like to discuss this matter further, you can reach me at (301) 251-9660.

Very truly yours,

Michael Rollino

Michael Rothman

ATTORNEY AT LAW

401 EAST JEFFERSON STREET SUITE 201 ROCKVILLE, MARYLAND 20850

TELEPHONE: (301) 251-9660 FACSIMILE: (301) 251-9610 mike@mikerothman.com www.mikerothman.com

May 21, 2010

VIA FIRST CLASS MAIL

America Online, Inc 770 Broadway NY NY 10003 c/o Corporation Service Company, Registered Agent 2711 Centerville Rd, Suite 400 Wilmington DE 19808

Re: Beyond Systems, Inc. v. World Avenue USA, LLC, et al.

Case No. PJM 08 cv 0921

To Whom It May Concern:

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Very truly yours,

Michael Rothman

Michael Rollins

ATTORNEY AT LAW

401 EAST JEFFERSON STREET SUITE 201 ROCKVILLE, MARYLAND 20850

TELEPHONE: (301) 251-9660 FACSIMILE: (301) 251-9610 mike@mikerothman.com www.mikerothman.com

May 21, 2010

VIA FIRST CLASS MAIL

StyleMyHouse, LLC 135 Townsend St. Suite 626 San Fransisco, CA 94110 c/o Corporation Service Company, Resident Agent 2711 Centerville Rd Suite 400 Wilmington, DE 19808

Re: Beyond Systems, Inc. v. World Avenue USA, LLC, et al. Case No. PJM 08 cv 0921

To Whom It May Concern:

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Very truly yours,

Michael Rothman

ATTORNEY AT LAW

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TELEPHONE: (301) 251-9660 FACSIMILE: (301) 251-9610 mike@mikerothman.com www.mikerothman.com

May 21, 2010

VIA FIRST CLASS MAIL

Direct Brands, Inc 1 Penn Plaza 250 W. 34th St. 4th Floor NY NY 10119 c/o Corporation Trust Company, Registered Agent 1209 Orange St, Wilmington DE 19801

Re: Beyond Systems, Inc. v. World Avenue USA, LLC, et al. Case No. PJM 08 cv 0921

To Whom It May Concern:

Please disregard the subpoena issued on January 8, 2010, from Beyond Systems, Inc ("BSI") requesting documents pertaining to the above referenced case. A new subpoena will be forthcoming. If you have not yet responded to the subpoena, please hold all responsive documents until you receive the new subpoena.

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Very truly yours,

Michael Rothman

Michael Rollina

ATTORNEY AT LAW

401 EAST JEFFERSON STREET SUITE 201 ROCKVILLE, MARYLAND 20850

TELEPHONE: (301) 251-9660 FACSIMILE: (301) 251-9610 mike@mikerothman.com www.mikerothman.com

May 21, 2010

VIA FIRST CLASS MAIL

Account Now, Inc 2711 Centerville Rd, Suite 400 Wilmington DE 19808 c/o Corporation Service Company, Registered Agent 2711 Centerville Rd, Suite 400 Wilmington DE 19808

Re: Beyond Systems, Inc. v. World Avenue USA, LLC, et al. Case No. PJM 08 cv 0921

To Whom It May Concern:

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Very truly yours,

Michael Rothman

Mechael Rollino

ATTORNEY AT LAW

401 EAST JEFFERSON STREET SUITE 201 ROCKVILLE, MARYLAND 20850

TELEPHONE: (301) 251-9660 FACSIMILE: (301) 251-9610 mike@mikerothman.com www.mikerothman.com

May 21, 2010

VIA FIRST CLASS MAIL

Rhapsody America, LLC 11600 Sunrise Valley Dr. Suite 200 Reston VA 20191 c/o Real Networks, Inc, Resident Agent 11600 Sunrise Valley Dr. Suite 200 Reston VA 20191

Re: Beyond Systems, Inc. v. World Avenue USA, LLC, et al. Case No. PJM 08 cv 0921

To Whom It May Concern:

Please disregard the subpoena issued on January 8, 2010, from Beyond Systems, Inc ("BSI") requesting documents pertaining to the above referenced case. A new subpoena will be forthcoming. If you have not yet responded to the subpoena, please hold all responsive documents until you receive the new subpoena.

If you have any questions or would like to discuss this matter further, you can reach me at (301) 251-9660.

Very truly yours,

Medical Rothers

Michael Rothman

ATTORNEY AT LAW

401 East Jefferson Street Suite 201 ROCKVILLE, MARYLAND 20850

TELEPHONE: (301) 251-9660 FACSIMILE: (301) 251-9610 mike@mikerothman.com www.mikerothman.com

May 21, 2010

VIA FIRST CLASS MAIL

Kraft Foods Global, Inc (a.k.a. Tassimodirect.com) 800 Westchester Ave Rye Brook NY 10573 c/o The Corporation Trust Incorporated, Registered Agent 351 West Camden St Baltimore MD 21201

Re: Beyond Systems, Inc. v. World Avenue USA, LLC, et al. Case No. PJM 08 cv 0921

To Whom It May Concern:

Please disregard the subpoena issued on January 7, 2010, from Beyond Systems, Inc ("BSI") requesting documents pertaining to the above referenced case. A new subpoena will be forthcoming. If you have not yet responded to the subpoena, please hold all responsive documents until you receive the new subpoena.

If you have any questions or would like to discuss this matter further, you can reach me at (301) 251-9660.

Very truly yours,

Mechael Rottina

ATTORNEY AT LAW

401 East Jefferson Street Suite 201 ROCKVILLE, MARYLAND 20850

TELEPHONE: (301) 251-9660 FACSIMILE: (301) 251-9610 mike@mikerothman.com www.mikerothman.com

May 21, 2010

VIA FIRST CLASS MAIL

Blockbuster Online DVD Rental
1201 Elm St Dallas TX 75270
c/o CSC Lawyers Incorporating Service Company (Resident Agent)
7 St. Paul St, Suite 1660 Baltimore MD 21202

Re: Beyond Systems, Inc. v. World Avenue USA, LLC, et al. Case No. PJM 08 cv 0921

To Whom It May Concern:

Please disregard the subpoena issued on January 7, 2010, from Beyond Systems, Inc ("BSI") requesting documents pertaining to the above referenced case. A new subpoena will be forthcoming. If you have not yet responded to the subpoena, please hold all responsive documents until you receive the new subpoena.

If you have any questions or would like to discuss this matter further, you can reach me at (301) 251-9660.

Very truly yours,

Michael Rothman

Michael Rottima-

ATTORNEY AT LAW

401 EAST JEFFERSON STREET SUITE 201 ROCKVILLE, MARYLAND 20850

TELEPHONE: (301) 251-9660 FACSIMILE: (301) 251-9610 mike@mikerothman.com www.mikerothman.com

May 21, 2010

VIA FIRST CLASS MAIL

Kraft Food, Inc
351 West Camden St Baltimore MD 21201
c/o The Corporation Trust Inc (resident agent)
351 West Camden St Baltimore MD 21201

Re: Beyond Systems, Inc. v. World Avenue USA, LLC, et al. Case No. PJM 08 cv 0921

To Whom It May Concern:

Please disregard the subpoena issued on January 7, 2010, from Beyond Systems, Inc ("BSI") requesting documents pertaining to the above referenced case. A new subpoena will be forthcoming. If you have not yet responded to the subpoena, please hold all responsive documents until you receive the new subpoena.

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Very truly yours,

ATTORNEY AT LAW

401 EAST JEFFERSON STREET SUITE 201 ROCKVILLE, MARYLAND 20850

TELEPHONE: (301) 251-9660 FACSIMILE: (301) 251-9610 mike@mikerothman.com www.mikerothman.com

May 21, 2010

VIA FIRST CLASS MAIL

Dish Network
7 St. Paul St Suite 1660 Baltimore MD 21202
c/o CSC Lawyers Incorporated Service Co (resident agent)
7 St. Paul St Suite 1660 Baltimore MD 21202

Re: Beyond Systems, Inc. v. World Avenue USA, LLC, et al. Case No. PJM 08 cv 0921

To Whom It May Concern:

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Very truly yours,

Michael Rothman

Mechael Rothma

ATTORNEY AT LAW

401 EAST JEFFERSON STREET SUITE 201 ROCKVILLE, MARYLAND 20850

TELEPHONE: (301) 251-9660 FACSIMILE: (301) 251-9610 mike@mikerothman.com www.mikerothman.com

May 21, 2010

VIA FIRST CLASS MAIL

Discover Financial Services
929 Barrington Dr. Waldorf MD 20602
c/o Dorothy Westberry (owner)
929 Barrington DR. Waldorf MD 20602

Re: Beyond Systems, Inc. v. World Avenue USA, LLC, et al.

Case No. PJM 08 cv 0921

To Whom It May Concern:

Please disregard the subpoena issued on January 7, 2010, from Beyond Systems, Inc ("BSI") requesting documents pertaining to the above referenced case. A new subpoena will be forthcoming. If you have not yet responded to the subpoena, please hold all responsive documents until you receive the new subpoena.

If you have any questions or would like to discuss this matter further, you can reach me at (301) 251-9660.

Very truly yours,

Michael Pothers

ATTORNEY AT LAW

401 EAST JEFFERSON STREET SUITE 201 ROCKVILLE, MARYLAND 20850

TELEPHONE: (301) 251-9660 FACSIMILE: (301) 251-9610 mike@mikerothman.com www.mikerothman.com

May 21, 2010

VIA FIRST CLASS MAIL

Vonage
351 West Camden St Baltimore MD 21201
c/o The Corporation Trust Incorporated (resident agent)
351 West Camden St Baltimore MD 21201

Re: Beyond Systems, Inc. v. World Avenue USA, LLC, et al. Case No. PJM 08 cv 0921

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Very truly yours,

ATTORNEY AT LAW

401 EAST JEFFERSON STREET SUITE 201 ROCKVILLE, MARYLAND 20850

TELEPHONE: (301) 251-9660 FACSIMILE: (301) 251-9610 mike@mikerothman.com www.mikerothman.com

May 21, 2010

VIA FIRST CLASS MAIL

Match.com
836 Park Ave 2nd Floor Baltimore MD 21201
c/o National Registered Agents, Inc of MD (resident agent)
836 Park Ave 2nd Floor Baltimore MD 21201

Re: Beyond Systems, Inc. v. World Avenue USA, LLC, et al. Case No. PJM 08 cv 0921

To Whom It May Concern:

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Very truly yours,

Michael Rothman

Meshed Rolling

ATTORNEY AT LAW

401 EAST JEFFERSON STREET SUITE 201 ROCKVILLE, MARYLAND 20850

TELEPHONE: (301) 251-9660 FACSIMILE: (301) 251-9610 mike@mikerothman.com www.mikerothman.com

May 21, 2010

VIA FIRST CLASS MAIL

Netflix
836 Park Ave 2nd Floor Baltimore MD 21201
c/o National Registered Agents, Inc of MD (resident agent)
836 Park Ave 2nd Floor Baltimore MD 21201

Re: Beyond Systems, Inc. v. World Avenue USA, LLC, et al. Case No. PJM 08 cv 0921

To Whom It May Concern:

Please disregard the subpoena issued on January 7, 2010, from Beyond Systems, Inc ("BSI") requesting documents pertaining to the above referenced case. A new subpoena will be forthcoming. If you have not yet responded to the subpoena, please hold all responsive documents until you receive the new subpoena.

If you have any questions or would like to discuss this matter further, you can reach me at (301) 251-9660.

Very truly yours,

Michael Rothman

· Michael Rollino

ATTORNEY AT LAW

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VIA FIRST CLASS MAIL

Columbia House 1225 S. Market St Mechanicsburg PA 17055 c/o Belinda Showers, Resident Agent 1225 S. Market St Mechanicsburg PA 17055

Re: Beyond Systems, Inc. v. World Avenue USA, LLC, et al. Case No. PJM 08 cv 0921

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May 21, 2010

VIA FIRST CLASS MAIL

Columbia House (a.k.a. Direct Brands, Inc)
1 Penn Plaza 250 W. 34th St. 4th Floor NY NY 10119
c/o Corporation Trust Company, Registered Agent
1209 Orange St, Wilmington DE 19801

Re: Beyond Systems, Inc. v. World Avenue USA, LLC, et al. Case No. PJM 08 cv 0921

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May 21, 2010

VIA FIRST CLASS MAIL

BMG Music Service (a.k.a. Direct Brands, Inc) 1 Penn Plaza 250 W. 34th St. 4th Floor NY NY 10119 c/o Corporation Trust Company, Registered Agent 1209 Orange St, Wilmington DE 19801

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May 21, 2010

VIA FIRST CLASS MAIL

Citibank Mastercard
399 Park Ave NY NY 10043
c/o The Corporation Trust Incorporated, Registered Agent
351 West Camden St, Baltimore MD 21201

Re: Beyond Systems, Inc. v. World Avenue USA, LLC, et al. Case No. PJM 08 cv 0921

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May 21, 2010

VIA FIRST CLASS MAIL

Experian/ConsumerInfo.com
475 Anton Blvd Costa Mesa CA 92626
c/o The Corporation Trust Incorporated (resident agent)
351 West Camden St Baltimore MD 21201

Re: Beyond Systems, Inc. v. World Avenue USA, LLC, et al. Case No. PJM 08 cv 0921

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May 21, 2010

VIA FIRST CLASS MAIL

Direct TV 2230 E. Imperial Hwy El Segundo CA 90245 c/o CSC Lawyers Incorporating Service Company 7 St. Paul St. Suite 1660 Baltimore MD 21202

Re: Beyond Systems, Inc. v. World Avenue USA, LLC, et al.

Case No. PJM 08 cv 0921

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May 21, 2010

VIA FIRST CLASS MAIL

Intersections Inc
351 West Camden St Baltimore MD 21201
c/o The Corporation Trust Inc (resident agent)
351 West Camden St Baltimore MD 21201

Re: Beyond Systems, Inc. v. World Avenue USA, LLC, et al. Case No. PJM 08 cv 0921

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May 21, 2010

VIA FIRST CLASS MAIL

Body Sculpture 2531 Uniontown Rd Westminster MD 21157 c/o David Krolicki (resident agent) 2531 Uniontown Rd Westminster MD 21157

Re: Beyond Systems, Inc. v. World Avenue USA, LLC, et al.

Case No. PJM 08 cv 0921

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